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AUDIO SERVICES BIVISION HAMBRIC ASSOCIATES
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(303) 740-7568

MAY 1 8 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

RECENTO

KY 13 173 FCC MAIL ROOM

Ms. Donna R. Searcy Secretary Federal Communications Commission 1019 M Street N.W. Washington D.C. 20554

> Re: Amendment of Section 73.202(b) Estes Park, Colorado

Dear Ms. Searcy:

Enclosed please find an original and four copies of a Petition for Rulemaking seeking to add Channel 217A to Estes Park, Colorado as its first local FM service.

No filing fee need accompany this Petition. If there are any questions concerning this petition please contact us directly.

M. R. Hambie

M. R. Hambric

Enclosures

FH EXAMINERS

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AUDIO SERVICES deral Commun	FORE THE  ications Commission  EFDERAL COMMUNICATIONS COMMISSION  INGTON, D.C.
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In re	May 15 1225
Amendment of Section 73.202(b) of the Commission's Rules, Table of Allotments, FM Broadcast Stations (Estes Park, Colorado)	) MM Docket 93FCC MAIL ROOM ) RM

#### PETITION FOR RULEMAKING

The Chief, Mass Media Bureau

To:

Hambric Associates, (Hambric) pursuant to Section 1.401 of the Commission's Rules, hereby requests the Commission to institute a rulemaking proceeding looking toward an amendment of Section 73.202(b) of the Commission's Rules, the Table of FM Allotments. Specifically, Hambric Associates seeks the allotment of Channel 271A to Estes Park, Colorado, as its first local FM service. In support of this petition, Hambric states as follows:

1. Estes Park is an incorporated city with a population of 3,672 persons (1990 U.S. Census) that has grown by nearly 36% between 1980 and 1990. 1992 local census figures indicate even further growth to 3,870 in 1992 with projected growth figures to 4,256 persons in 1995. Estes Park has a Mayor and Board of Trustees form of local government. The city of Estes Park further maintains its own police force with 20 employees during "off season" plus an additional 10 officers during the summer vacation season. Estes Park further maintains a volunteer fire department with 27 volunteers.

Estes Park maintains municipal power, water, and sewer services. It also has its own Post Office and its own zip code (80517). Estes Park is an enormously popular vacation destination which serves nearly 3 million visitors annually. Despite the growth in the city, Estes Park still enjoys no local FM service.

- 2. As demonstrated by the attached Engineer Report of Wheeler Broadcast Consulting, Channel 271A can be allocated to Estes Park as its first service in full compliance with the FM spacing rules by imposing a 3.6 km West site restriction from the Estes Park reference coordinates as listed in the National Atlas of the United States of America. No other broadcast operation would be affected by this proposal. City Grade service levels would be provided from any location depicted in the open area in Exhibit 2 of the Engineering Report.
- 3. If The Commission amends the FM Table of Allotments as requested herein, Hambric will promptly file an application for construction permit for Channel 271A and, if granted that construction permit, will promptly construct the facilities, place them into operation, and seek a license covering the Estes Park facility.
- 4. A need for FM service in Estes Park exists. Allotting channel 271A to Estes Park would permit Estes Park to receive this service. Favorable action on the Hambric proposal would thus be in the public interest.

For the reasons stated above, the public interest will be served by the allotment of Channel 271A to Estes Park, Colorado as its first local FM service.

Accordingly, Hambric Associates respectfully requests the Commission to initiate a rulemaking to amend the FM Table of Allotments as follows:

	Present	Proposed
<u>CITY</u>	<u>Allotment</u>	<u>Allotment</u>
Estes Park, CO		271A

Respectfully submitted, **Hambric Associates** 

M.R. Hambric Its Principal

Hambric Associates 10976 E. Crestline Place Englewood, CO 80111

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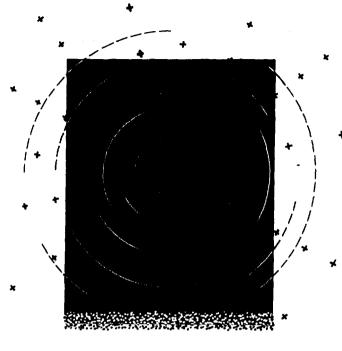
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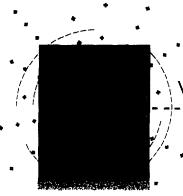


WHEELER
BROADCAST
CONSULTING

**Hambric Asociates** 

Proposed Rule Making Amend the FM Table of Allotments Add Channel 271A to Estes Park, Colorado

**April 1993** 



# HECEIVED WHEELER **BROADCAST** COMBULTING

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### **Engineering Statement**

This consultant has been retained by Hambric Associates for the purpose of preparing this engineering statement in support of a Proposed Rule Making to amend the FM table of allotments, 47 CFR 73.202 (b), by adding channel 271 A to Estes Park, Colorado as its first local FM service.

The coordinates of Estes Park, Colorado are listed in the <u>National</u> <u>Atlas of the United States of America</u> as follows:

40° 22' 36" N. Latitude 105° 31' 12" W. Longitude

Exhibit 1, included in this report, is a study of the Commission's March 31, 1993 database which indicates that Channel 271 A can be allocated to Estes Park with the imposition of a 3.6 km, West site restriction so as to clear the second adjacent Class C2 allocation in Loveland, Colorado (KTTR).

3718 W. 52nd TERRACE SHAWNEE MISSION, KS. 66205 913.831.1622 Exhibit 2, also included in this report, is a copy of the relevant section of the Greeley (CO / WY), USGS 1:250,000 topographic map which indicates a wide area in which to locate a suitable transmitting facility. A hypothetical site was selected near the center of the open area at 40° 21' 10" N by 105° 36' 35" W and contours were predicted from the site. The mountainous terrain in the area indicates that a tower height of nearly 1800 feet would be required to average 100 meters HAAT. The HAAT of the relevant arc over Estes Park would be 784.1 meters and the predicted 70 dbu contour would extend 45.8 km from the site.

Engineering Statement Page 2

A copy of the predicted contour data is included in Exhibit 2 which clearly demonstrates that the entire city of Estes Park would be illuminated with a signal in excess of 70 dbu, as prescribed by 47 CFR 73.315 (a), with considerably less than 100 meters HAAT as the terrain in the open area favors the proposed city of license

#### Estes Park, Colorado

Estes Park, Colorado is located in Larimer County and has a population of 3,672 persons according to the 1990 US Census. Estes Park is a growing community, the population increased by 35.8% from 1980 to 1990. Estes Park has a Mayor and Board of Trustees form of local government, a volunteer fire department with 27 volunteer fire fighters, and a municipal police department with 20 employees plus an additional 10 officers for the summer months. Estes Park has numerous commercial services and local development organizations including a Chamber of Commerce, 4 financial institutions with assets of nearly \$100,000,000, a Post Office with its own zip code (80517), a daily newspaper, and a 13,000 square foot public library which contains over 27,000 volumes and the CARL computer system. Estes Park also has a municipal electric company which operates in conjunction with the Platte River Power Authority, a local water distribution plant, and a 1,500,000 gallon per day municipal sewage facility. The City of Estes Park is bordered by the 265,688 acre Rocky Mountain National Park and the 782,000 acre Roosevelt National Forest. The unique geographic location of Estes Park attracts nearly 3,000,000 tourists and vacationers per year.

## <u>Certification</u>

All information contained in this report is true and accurate to the best of my belief. Having had numerous matters before the Commission, my qualifications are a matter of record.

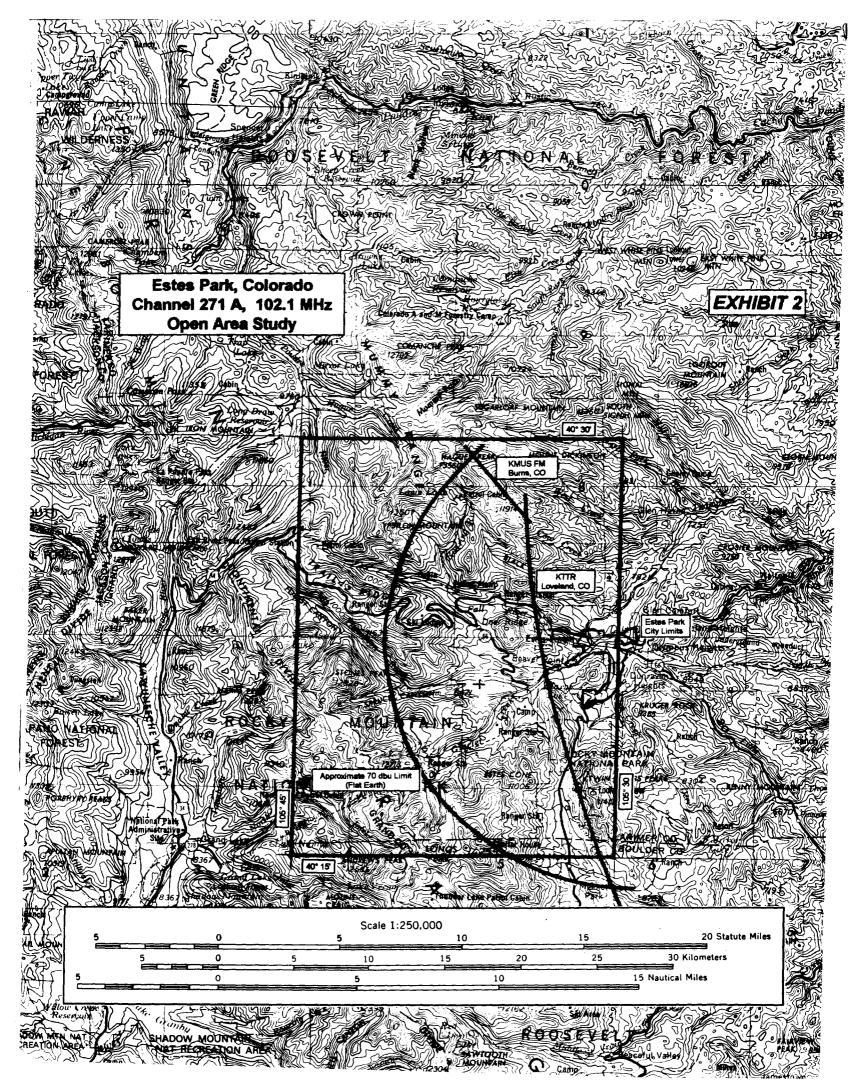
Date

Lee Wheeler

#### WHEELER BROADCAST CONSULTING 3718 W. 52nd Terrace - Shawnee Mission KS. 66205

#### Hambric Associates Estes Park Allocation

REFERENCE 40 22 36 N			CLASS A			DISPL DATA	AY DATES 03-31-93
105 31 12 W	v 	Current CHANNEL	rules spa 271 -102.	cings 1 MHz -	. <u> </u>	SEARCH	04-19-19
	CH# CITY LAT LNG 273C2 Loveland						
T.T DCN	273C2 Loveland 40 27 19 104 Onyx Broadcast	55 25	50.000 KW	/ 125M	31.9	34.2	-3.63 *
KMUSFM LI CN	270C2 Burns 41 07 01 104 KMUS, Inc.		WY	41.2 150M	109.22	106.0 65.9	3.22
LI CY	270C Colorado 38 44 40 104 Walton Station	51 41 s-Colora	79.000 kW ado, Inc	664M E	118.0 MLH8811	102.6 07KC	
	269D Boulder 39 57 38 105 ATOR FOR KVOD,			D	53.03 33.0 LFT221	26.0 16.2	27.03
	269D Greely 40 24 19 104 Power Du Pree				55.23 34.3 PFT87033	26.0 16.2 31YX 8	29.23 371020
KSMT LI CN	272A Breckenr 39 29 44 106 Gardiner Broad	idge 01 44	CO 3.000 kW	204.0 -70M	107.07 66.5	72.0 44.8	
KQMT LI CY	268C Eagle 39 44 18 106 Mountain High	47 58	CO 37.000 kW	237.0 674M	130.16	95.0 59.0	35.16
LI CN	218C1 Greeley 40 38 34 104 Trustees for t	49 08 1	00.000 kW	174M	41.3	13.7	44.37
		· · · · · · · · · · · · · · · · · · ·					



#### Predicted Signal Contours:

40 21 10 - Hambric Associates 105 36 35 - Estes Park Allocation

ERP = 6 kW, 7.782 dBk FM - 2-6 Tables

Radial	HAAT	kW	dBk	Field	70 dBu.5	60 dBu.5
0 Degs.	-69.6 <b>M</b>	6.000	7.782	1.000	8.9	15.8
45 Degs.	577.1M	6.000	7.782	1.000	39.1	61.4
90 Degs.	647.9M	6.000	7.782	1.000	41.5	64.0
135 Degs.	283.2M	6.000	7.782	1.000	26.9	44.4
180 Degs.	-213.2M	6.000	7.782	1.000	8.9	15.8
225 Degs.	-177.5M	6.000	7.782	1.000	8.9	15.8
270 Degs.	-151.7M	6.000	7.782	1.000	8.9	15.8
315 Degs.	-95.9M	6.000	7.782	1.000	8.9	15.8
Ave. HAAT=	= 100.0 <b>M</b> ,	Ant. COR	=3129.9M	AMSL		
Other Azim	nuths:					
71 Degs.	785.6M	6.000	7.782	1.000	45.9	68.7